



March 16, 2017

FREEDOM OF INFORMATION ACT REQUEST

BY ELECTRONIC MAIL AND U.S. MAIL

Regional FOIA Officer
U.S. EPA, Region 10
Office of Ecosystems, Tribal and Public Affairs
1200 6th Avenue ETPA-124
Seattle, WA 98101

Re: Freedom of Information Act Request – Documents Related to the State of
Washington’s Water Quality Standards

Dear FOIA Officer:

On behalf of Puget Soundkeeper Alliance, Columbia Riverkeeper, Spokane Riverkeeper, RE Sources for Sustainable Communities, Pacific Coast Federation of Fishermen’s Associations, and Institute for Fisheries Resources, this letter requests information pursuant to the Freedom of Information Act (“FOIA”) 5 U.S.C. § 552 and its implementing regulations. The relevant time period for this request is from November 1, 2016, to the time the response to this request is provided.

FOIA REQUEST

A. Definitions.

For the purposes of this request, we define documents to include any and all (whether in proposed, draft, or final form) scientific or technical data, analyses, studies, correspondence, memoranda, reports, notes, meeting notes, calendars, telephone logs, photographs, maps, diagrams and other records, whether paper or electronic (including e-mail). The preferred format is electronic, if available.

Also, for the purposes of this request, “Ecology” is defined as the Washington Department of Ecology and any employees or representatives thereof. The “Governor” is defined as the Governor of the State of Washington and all Governor’s Office staff and/or advisors. “EPA” is defined as any U.S. EPA office, including, but not limited to, the Office of the Administrator, EPA Headquarters offices, the Office of Water, U.S. EPA Region 10, and employees and representatives thereof.

Finally, for purposes of this request, “EPA’s Final Rule” is defined as EPA’s Final Rule on Washington Water Quality Standards promulgated on November 15, 2016, and published in the Federal Register on November 28, 2016. 81 Fed. Reg. 85,417 (Nov. 28, 2016). “Petition for Reconsideration” is defined as the Petition for Reconsideration of EPA’s Partial Disapproval of Washington’s Human Health Water Quality Criteria and Implementation Tools submitted by the State of Washington on August 1, 2016, and Repeal of the Final Rule Revision of Certain Federal Water Quality Standards Applicable to Washington, 81 Fed. Reg. 85,417 (Nov. 28, 2016), which was submitted to EPA by Northwest Pulp & Paper Association, American Forest and Paper Association, Association of Washington Business, Greater Spokane Incorporated, Treated Wood Council, Western Wood Preservers Institute, Utility Water Act Group, and Washington Farm Bureau on February 21, 2017.

B. Documents Requested:

- (1) Any and all correspondence or communication (and references thereto) by and between EPA and Northwest Pulp & Paper Association, American Forest and Paper Association, Association of Washington Business, Greater Spokane Incorporated, Treated Wood Council, Western Wood Preservers Institute, Utility Water Act Group, or Washington Farm Bureau and/or any representative, employee, or agent of those organizations, regarding the State of Washington’s Human Health Water Quality Criteria and Implementation Tools and/or EPA’s Final Rule;
- (2) Any and all correspondence or communication (and references thereto) by and between EPA and Northwest Pulp & Paper Association, American Forest and Paper Association, Association of Washington Business, Greater Spokane Incorporated, Treated Wood Council, Western Wood Preservers Institute, Utility Water Act Group, or Washington Farm Bureau and/or any representative, employee, or agent of those organizations, regarding the Petition for Reconsideration;
- (3) Any and all correspondence or communication (and references thereto) by and between EPA and the Governor regarding the State of Washington’s Human Health Water Quality Criteria and Implementation Tools and/or EPA’s Final Rule;
- (4) Any and all correspondence or communication (and references thereto) by and between EPA and the Governor regarding the Petition for Reconsideration;
- (5) Any and all correspondence or communication (and references thereto) by and between EPA and Ecology regarding the State of Washington’s Human Health Water Quality Criteria and Implementation Tools and/or EPA’s Final Rule; and

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- (6) Any and all correspondence or communication (and references thereto) by and between EPA and Ecology regarding the Petition for Reconsideration.

We request these documents in electronic form, if possible, but hard copies would also be acceptable if this form is easier for your office. If photocopies or electronic copies of the above-requested documents can be provided for \$50 or less, please simply copy the responsive documents and provide them to the address shown above with an invoice for the amount due and my office will reimburse the costs. If, in your best estimate, copies of the documents responsive to this request cannot be provided for \$50 or less, please call me to make other arrangements.

In the event that any requested document is claimed, or continues to be claimed, exempt from disclosure or review, or otherwise withheld, we request an index or log of documents withheld, with the maximum possible identifying information that you can provide, including a description of the document withheld, its date, its location, its recipient(s) and the specific reason(s) the document is being withheld. 5 U.S.C. § 552(b).

Please contact the undersigned should you have any questions regarding this request. As provided by the FOIA, 5 U.S.C. § 552(a)(6)(A), we look forward to a reply within twenty working days. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marisa C. Ordonia', with a long horizontal flourish extending to the right.

Marisa C. Ordonia
Janette K. Brimmer